

**REPORT OF THE WORKING GROUP CONSTITUTED BY THE MINISTRY OF LABOUR TO
CONSIDER SIMPLIFICATION OF EXISTING FORMS FOR RETURNS AND REGISTERS
PRESCRIBED UNDER THE EXISTING LABOUR LAWS**

On the recommendation of the second National Commission on Labour the Ministry of Labour constituted a high powered group to consider the following terms of reference and to submit its report to the Ministry.

- a) To consider simplification of existing forms for returns and registers prescribed under various labour laws and suggest the simplified forms for replacement thereof.
- b) To suggest measures for introduction/adoption of these simplified forms for returns and registers in the respective labour laws.

The meeting of the group was held on 27.01.03. In a day long meeting the group deliberated at length on various aspects of consolidation, simplification and rationalisation of forms of registers, returns etc. prescribed under different labour enactments. The group took into account initiatives made in this regard by Government of Andhra Pradesh, Kerala etc and also took note of recommendations of the Girotra committee and another committee constituted to simplify and rationalise various returns and forms under the Factories Act, 1948.

After detailed discussions, a major part of which was devoted to the report submitted by the Girotra Committee during the year 1998, the group makes the following observations and recommendations in respect of consolidation, simplification and rationalisation of forms of returns and registers etc prescribed under various Labour Laws

1. OBSERVATIONS

- 1.1 The group noted that there are more than 15 Labour Laws in the central sphere and almost equal number of Labour Laws if not more in the state sphere which prescribe a variety of returns which the employers must furnish to the authorities and registers which they are required to maintain at or near the workplaces. Employers are also required to display various notices and abstracts of Acts and send their copies to prescribed authorities. Furnishing the returns, maintenance of registers, issue and display of the notices including abstracts of the laws involves a lot of paper work resulting in poor compliance particularly by the employers of small and medium size establishments. The number of returns to be furnished, registers to be maintained etc is quite large. Reducing the number of returns and registers through consolidation and simplifying them through rationalisation may lead to better compliance by the employers.
- 1.2 There is an apathy on part of the employers in furnishing returns, maintaining registers although not furnishing the returns and non-maintenance of registers is a punishable offence under the Labour Laws. However, penalties/ punishments provided for such offences are so meagre that they do not have a deterrent effect.
- 1.3 There are many registers which have columns for information/details which is overlapping or is common to all these registers. Maintaining these registers results in duplication and repetition of work which can be avoided if these are consolidated and rationalised.
- 1.4 After studying the provisions of various Labour Laws and the rules thereunder the group concludes that it is possible to combine the annual returns and some of the registers prescribed under some of the Labour Laws and rules. These are as under :-
 - A) REGISTERS OF EMPLOYED PERSONS
 - B) MUSTER ROLL CUM WAGE REGISTER
 - C) ANNUAL RETURN

- 1.5 The group observed that in addition to above the Girotra Committee has recommended clubbing of club wage slip and employment card prescribed under some Labour Laws and rules made thereunder. Similarly the committee has recommended that notices like notice of opening/commencement and notice of closure/ abandonment as also notice required to be displayed within the establishment under some Labour Laws be combined and accordingly the committee has proposed combined forms of
- D) Wage Slip cum Employment Card
 - E) Notice of opening/ commencement and completion/ closure etc.
 - F) Notices to be displayed
- 1.6 Certain Acts which deal with safety and health of workers such as Factories Act, Mines Act, Plantation Labour Act, Building and other Construction Workers (RE&CS) Act also prescribe a variety of registers and returns. However, keeping in view the specific safety provisions prescribed under these laws it is desirable that registers pertaining to safety and health provisions under these enactments are allowed to be maintained separately. A Task Force constituted by DGFASLI has examined the question of rationalisation of various return and registers under Factories Act and has recommended considerable reduction in the no. of registers and returns by deletion of some registers/returns and clubbing of some other registers/ returns.
- 1.7 Enactments such as Employees State Insurance Act, Employees Provident Fund and Miscellaneous Provisions Act, which deal with social security also prescribe registers to be maintained and returns to be furnished by the employers. The information incorporated in the registers under these enactments reflect individual accounts of contribution etc by workmen and employers. It is desirable that these registers are not clubbed with the registers proposed above.
- 1.8 Permitting the employers to transmit the annual returns to concerned authorities through E-mail, floppy and maintenance of registers on computers will minimize paper work and afford the employers ease of furnishing/ maintaining these documents.

2. **RECOMMENDATIONS**

The detailed recommendations of the High Powered Group in respect of the returns, registers etc to be consolidated and simplified are as under :-

2.1 **Register of Employed Persons :-**

Maintenance of registers of employed persons has been provided for under the following enactments

- Contract Labour (R&A) Act, 1970 and Central Rules, 1971
- The Child Labour (P&R) Act, 1986 and Central Rules
- The Equal Remuneration Act, 1976 and Central Rules, 1977.
- The Interstate Migrant Workmen (RE&CS) Act and Central Rules, 1980.
- Building and other Construction Workers (RE&CS) Act, 1996 and Central Rules, 1988
- Sales Promotion Employees (conditions of service) Act, 1976 and rules made thereunder.
- Working Journalists and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act, 1955 and rules made thereunder.

After studying in detail the forms of registers of employed persons under the above mentioned enactments/rules the group is of the view that the registers of employed persons

prescribed under the above mentioned rules except Sales Promotion Employees Act (conditions of service) Act, 1976 and Working Journalists and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act, 1955 can be consolidated into one register. The register of employed persons under these two enactments/rules cannot be clubbed along with the consolidated register proposed above as these two enactments/rules are industry specific and the registers prescribed under these enactments and rules contain columns requiring specific information pertaining to sales promotion employees and working journalists respectively.

The consolidated form of the register of employed persons to be maintained by employers in lieu of similar register prescribed under the above mentioned enactments/rules except the last two enactments/rules is appended to this report as Form I.

2.2 Muster Roll cum Wage Register :-

The Labour Laws (Exemption from Furnishing Returns and Maintenance of Registers by Certain Establishments) Act, 1988 has provided for maintenance of a combined muster roll cum wage register in lieu of the ones provided under Payment of Wages Act, Weekly Holidays Act, Minimum Wages Act, Factories Act, Plantation Labour Act, Working Journalists and other Newspaper Employees Act, Contract Labour (R&A) Act, Sales Promotion Employees Act and Equal Remuneration Act. Some of the above mentioned enactments have also prescribed separate registers of fines, OT wages, advances etc. The Girotra Committee has recommended that the muster roll registers, register of wages, register of deductions for damage or loss, register of fines, register of OT wages, register of work done by piece rate, etc prescribed under CL(R&A) Central Rules, 1971, ISMW (RE&CS) Central Rules, 1980, the MW (Central) Rules 1950, PW (Mines, Railways, ATS) Rules can be consolidated into one muster cum wage register. The BOCW (RE&CS) Rules also prescribes maintenance of muster roll, wage register and registers of fines, and other deductions. The High Powered Group recommends that the muster rolls, wage register and register of other deductions prescribed under the following enactments/rules can be consolidated into one register.

- Payment of Wages Act 1936 and rules made thereunder
- Minimum Wages Act and Rules made thereunder
- CL(R&A) Act and Rules made thereunder.
- ISMW (RE&CS) Act and Rules made thereunder.
- BOCW (RE&CS) Act and Rules made thereunder.

The format of this register is appended as Form II to this report.

2.3 Annual Return :-

Employers are required to furnish Annual Returns under the 9 enactments given in the schedule of the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 and has prescribed a common core annual return in lieu of the annual returns required to be furnished under these Laws. The Girotra Committee has further identified the annual returns under Payment of Bonus Act, ISMW Act and Rules and PW (Mines) Rules for this purpose. The High Powered Group studied the forms of Annual Returns prescribed under all the above mentioned enactments as well as those under Factories Act, Maternity Benefit Act, BOCW (RE&CS) Act, EPF and MP Act and ESI Act, Sales Promotion Employees (conditions of service) Act, 1976 and rules made thereunder and Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act, 1955 and rules made thereunder.

The group is of the view that the annual return prescribed under all the above enactments except Factories Act, Maternity Benefit Act, EPF and MP Act, ESI Act, Sales Promotion

Employees Act, Working Journalists Act 1955 and Payment of Bonus Act, 1965 can be consolidated into one common form of annual return. The forms of annual return prescribed under these enactments are distinctly different from the annual returns under the rest of the enactments and therefore, these cannot be combined and employers will have to continue to furnish them separately under each of these six laws. The format of annual return devised by the group will replace the requirement of furnishing the annual and half yearly returns under the following enactments/ rules

- ISMW Act and Rules
- Minimum Wages Act and Rules.
- PW Act and Rules made thereunder including PW(Mines) Rules, PW(Railways) Rules, PW(ATS) Rules.
- BOCW(RE&CS) Act and Rules.
- Contract Labour (R&A) Act and Rules

The format of the annual report devised by the group is appended as Form III to this report.

2.4 **Notice of opening or commencement and closure or completion, notices to be displayed and wageslip cum employment cards.**

The employers are required to issue notices of opening or commencement or of discontinuance or closure and also regarding change in the address or name of the establishment etc under the following Rules :-

- PW(Mines, ATS) Rules,
- CL(R&A) Central Rules, 1971
- PG(Central) Rules, 1972
- BOCW (Central) Rules, 1988

The MW Rules, CL(R&A) Rules and BOCW (Central) Rules provide for issue of wage slip and/or employment card to the workers.

Display of notices by the employers/contractors and also sending a copy of the same to the Inspector has been provided under Rule 22 of the Minimum Wages (Central) Rules, 1950, Rule 8 of Payment of Wages (Mines) Rules, 1956, Rule 81 of CL (R&A) Central Rules, 1971, Rule 51 of ISMW (RE&CS) Central Rules, 1980. There are no prescribed Proforma under these rules, though the items/ information to be included in the notices have been indicated in the said rules.

The group is of the view that keeping in view the fact that the notices, wage slip and employment card discussed above have been prescribed only under three or four enactments, and also the fact that these, except the wage slip are required to be issued only once, there is no necessity to club them.

- 2.5 Some enactments provide for display of abstracts of Acts and Rules at the workplace. The group is of the opinion that this requirement can be done away with.
- 2.6 Place at which the registers are to be maintained have been prescribed differently under different enactments. The group suggests that the registers be maintained only at the workplace and not as near as possible the workplace or within the radius of 3 kilometers of the workplace as specified under some Labour Laws.
- 2.7 As regards rationalisation of forms of return and register under Factories Act, the group recommends that the recommendation of the committee constituted by DGFASLI during the year 2002 may be pursued for giving effect to the same.

- 2.8 Suitable provisions in the Labour enactments may be made to enable the employer to furnish annual returns, notices etc to concerned authorities through E-mail and floppy and to maintain the prescribed registers on computers.
- 2.9 The group is required to suggest measures for introduction/ adoption of the proposed simplified forms of returns and registers. In order to give effect/ to adopt the simplified forms of returns and registers etc in the respective Labour Laws as proposed by the group, the relevant provisions of these laws and rules will have to be amended. The Girotra Committee has suggested repeal of Labour Law (Exemption from Furnishing Returns and Maintenance of Registers by Certain Establishments) Act, 1988 and enactment of a new law which will require all employers, irrespective of the size of the establishment to maintain the consolidated registers, submission of only one return, submission of opening/ closing notice and issue of wage slip cum employment card. The committee has also prepared a draft of the proposed law. This group has carefully perused the draft and is of the opinion that the same with some changes can be adopted for enactment. The amended draft of the proposed law is enclosed to this report.
- 2.10 In case the schedule of the proposed draft law appears voluminous or complicated the Group would like to suggest an alternative proposal on simplification and rationalization of register and returns. This alternative proposal is placed at Annexure of the report.

DRAFT OF THE PROPOSED LAW

LABOUR LAWS (MAINTENANCE OF REGISTER, SUBMISSION OF ANNUAL RETURN, NOTICES ETC) ACT.

Sec. 1 The Act shall be applicable to all establishments to which laws given in Schedule-I apply provided that the appropriate Govt. may add any other law in Schedule-I to provide for maintenance of registers as per this Act in lieu of the Act added to the said schedule by the appropriate Govt.

Sec. 2 Definitions

 All the definitions under this Act will have the same meaning as assigned to them in the respective enactments given in Schedule-I.

 Employer shall include a Principal Employer a contractor as defined under Contract Labour (R&A) Act and ISMW (RE&CS) Act or any other law.

Sec. 3 On and from commencement of this Act, the Acts given in Schedule-I shall have effect subject to provisions of this Act.

Sec. 4 (1) Exemption from maintenance of registers required to be maintained under certain labour laws.

 On and from commencement of this Act, it shall not be necessary for an employer in relation to an establishment to which the Acts given in Schedule-I apply.

- (a) To maintain the registers given in part-I of Schedule-II provided such employer maintains the register of persons employed as per Form-I prescribed under this Act at the work spot.

 Provided further that it shall not be necessary for an employer of a mining establishment to maintain register as per Form-I of this Act if a register is being maintained as per Form-B prescribed under Mines Act.

- (b) To maintain the registers given in Part-II of Schedule-II provided such employer maintains a consolidated Muster Roll-cum-wage-cum Deduction register as per Form-II prescribed under this Act at the work spot.

(2) The employer may maintain the registers prescribed under Cluse(a) & (b) on a computer. Where the registers are maintained on a computer, the employer shall furnish a print of the register or print of a portion of the register to the inspector on demand.

Sec.5 Submission of Annual Return and Notice of opening / closing, etc.

 On and form commencement of this Act, it shall not be necessary for an employer in relation to an establishment to which the Acts given in Schedule-I apply to :-

- (a) Furnish the retuns given in Part-III of schedule-II provided such employer furnishes a consolidated return as per Form-III prescribed under this Act to the inspector and the Assistant Labour Commissioner concerned.
- (b) The employer may furnish the return prescribed under sub section (a) through E-mail if the inspector and the Asstt. Labour Commissioner concerned has E-mail address or through a floppy of a computer.

Sec. 6 Dispensing with the requirements of display of abstracts.

On and from commencement of this Act it shall not be necessary for an employer in relation to an establishment to which the Acts given in Schedule-I apply to display abstracts of Acts and Rules.

Sec. 7 Saving of other provisions of relevant enactments: -

The commencement of this Act shall not affect the requirement of: -

- (a) Maintenance of any records / registers or Submission of any return by an employer other than those mentioned in Scheduled-II of this Act.
- (b) Any investigation, legal proceedings or remedy in respect of any such privilege, obligation, liability, penalty, forfeiture or punishment already incurred before the commencement of this Act.

Sec. 8 Power to amend forms or make additions in schedules

(1) The Appropriate Govt. may if it is of the opinion that it is expedient to do so by the notification in the official Gazette add any Act to the Schedule-I and also prescribe any form in which any record may be required to be maintained or amend the forms given under this Act or any format or rule in any part of the Schedule-II indicating that it shall not be necessary to maintain any record or furnish any information as per the format or rule so added.

Provided that where any amendment is made by state Govt. being the appropriate Govt. the same shall apply to the establishments for which the concerned State Govt. is the appropriate government.

(2) Any notification issued under this Section shall be laid before the State Legislature or before the Parliament as the case may be by an appropriate Govt. within six months of notification.

Sec. 9 Delegation of Powers.

Where the Central Govt. is the appropriate Govt. any delegation made by that Govt. to the State Govt. under any Act given in schedule-I and where a State Govt. is appropriate Govt. any delegation made by that State Govt. to the Central Govt. shall be automatically deemed to be a delegation under this Act.

Sec. 10 Power to Exempt: -

The appropriate Govt. or any authority duly authorized by the appropriate Govt. may exempt any establishment from maintenance of any register or records or furnishing of any return or notice under this Act if the appropriate Govt. or the authority is satisfied that a satisfactory alternative mechanism or method of maintenance of record electronically or otherwise exists or any arrangement which is intended to be introduced in an establishment meets the requirements or the concerned register or record or furnishing of any return or notice to the concerned authorities.

Sec. 11 Penalties: -

- (a) In case of first conviction, imposition of fine which may extend to Rs. 2000/- or imprisonment upto three months or with both and
- (b) In case of any second or subsequent offence imposition of fine which will not be less than Rs. 5000/- or with imprisonment upto six months or with both.

SCHEDULE – I

- 1) The Payment of Wages Act, 1936 and the Rules made thereunder.
- 2) The Minimum Wages Act, 1948 and the Rules made thereunder.
- 3) The Contract Labour (Regulation and Abolition) Act, 1970 and the Rules made thereunder.
- 4) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Rules made thereunder.
- 5) The Equal Remuneration Act, 1976 and the Rules made thereunder.
- 6) The Child Labour (Prohibition and Regulation) Act, 1986 and the Rules made thereunder.
- 7) BOCW (RE&CS) Act and Rules made thereunder

SCHEDULE – II

Part I

The registers not required to be maintained if a register in Form – I prescribed under this Act is maintained.

- (1) Register of workmen employed by contractor in Form-XIII under the Contract Labour (Regulation and Abolition) Rules, 1971.
- (2) Register of children employed or permitted to work in Form-A under the Child Labour (Prohibition and Regulation) Rules, 1988.
- (3) Registers of workers employed in Form-D under the Equal Remuneration Rules.
- (4) Registers of workers employed in Form XV under BOCW (RE&CS) Rules 1998.
- (5) Register of workmen employed by contractor in Form XIII under ISMW (RE&CS) Central Rules, 1980.

Part-II

The registers not required to be maintained if a register in Form-II prescribed under this Act is maintained.

- (a) Under the Contract Labour (Regulation and Abolition) Rules, 1971 –
 - (1) Muster Roll Register in Form-XVI.
 - (2) Register of Wages in Form-XVII.
 - (3) Register of Wages-cum-Muster Roll in Form-XVIII.
 - (4) Register of deductions for damage or loss in Form-XX.
 - (5) Register of Fines in Form XXI.
 - (6) Register of O.T. in Form –XXII.
- (b) Under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1980.
 - (1) Muster roll register in Form-XVII.
 - (2) Register of wages in Form-XVIII.
 - (3) Register of deduction for damage or loss in Form-XIX.
 - (4) Register of fines in Form-XX.
 - (5) Register of advances in Form-XXI.
 - (6) Register of overtime in Form-XXII.
- (c) Under Minimum Wages (Central) Rules, 1950.
 - (1) Register of fines in form-I.
 - (2) Register of deduction for damage or loss in form-II.
 - (3) Muster roll register in form-V.
 - (4) Overtime register in form-IV.
 - (5) Register in wages in form-X.

- (d) Under Payment of Wages (Railway) Rules, 1938.
 - (1) Register of fines in form –I.
 - (2) Register of deductions for damage or loss in form –II.
- (e) Under payment of Wages (Mines) Rules, 1936.
 - (1) Register of fines in form –I.
 - (2) Register of deductions for damage or loss in form –II.
 - (3) Register of wages in Form-III.
 - (4) Register of work done by piece rate workers in form-IV A.¹
 - (5) Register of advances made to employees in form-VI.
- (f) Under Payment of Wages (Air Transport Service) Rules , 1968.
 - (1) Register of fines in form –I.
 - (2) Register of deductions for damage or loss in form –II.
 - (3) Muster roll register in Form-IV.
 - (4) Register of wages in Form-V.
 - (5) Muster roll-cum-register of wages in form-VI.
 - (6) Register of advances made to workers in form –IX.
 - (7) Register of loans granted to employees e.g. house building, etc. in form-X.
- (g) Under BOCW (RE&CS) Central Rules 1998
 - (1) Muster Roll in Form XVI
 - (2) Register of Wages in Form XVII
 - (3) Register of Wages cum Muster Roll in Form XVIII
 - (4) Register of Deduction for damage or loss in Form XIX
 - (5) Register of fines in Form XX
 - (7) Register of advances in Form XXI
 - (8) Register of overtime in Form XXII

Part-III

The annual returns not required to be submitted if the annual return in form-III prescribed under this Act is furnished.

- (1) Annual return in form-III under the Minimum Wages (Central) Rules, 1950.
- (2) Annual return in form-V under the Payment of Wages (Mines) Rules, 1956.
- (3) Annual return in form-VIII under PW (ATS) Rules, 1968.
- (4) Annual return in form-III under PW (Railway) Rules, 1938.
- (5) Annual return by the principal employer in form-XXV under the Contract Labour (Regulation and Abolition) Rules, 1971.
- (6) Half yearly return by contractor in form-XXIV under the Contract Labour (Regulation and Abolition) Rules, 1971
- (7) Annual return in form-XXIV by principal employer under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1980.
- (8) Half yearly return by contractor in form-XXIII under Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1980.
- (9) Annual return in Form XXV under BOCW(RE&CS) Act, 1996.

¹ Comment of the Ministry:- Not to be accepted as a provision to issue such slip is being proposed in second proviso of clause 4 of the Bill.

FORM – I

Register of Persons Employed

Name of the Estt. and Address

Location of Work

Name and Address of Employer
.....

1. Name of workman/ employee

2. Father's/ Husband's Name

3. Address

(i) Present

(ii) Permanent

4. Designation/Category

5. Date of Birth/ Age

6. Qualification

7. Date of entry

8. Worker's ID No./ESI/EPF/LW.F. No.

9. If the employed person is below 14 years, whether a certificate of age is maintained
.....

10. Sex : Male or /Female

11. Nationality

12. Date of termination of employment with reason

13. Signatures /thumb impression of worker/ employee
.....

14. Signature of the employer/ Authorised officer with designation

.....

Form – II
MUSTER ROLL-CUM-WAGE REGISTER

Name of Establishment and address:- ...

Location of work:

Name and address of Employer:

1	2	3	4	5	6	7	8
Sl. No.	Name of the worker (ID No. if any) and father's /husband's name/	Designation/ category	Attendance (Dates of the month 1, 2 ... to 31)	Leave Due	Leave availed (specify)	Wage rate/ pay or piece rate/ wages per unit	Other allowances e.g. (a) D.A. (b) HRA (c) Night allowances
							(a) (b) (c)

9	10	11	12	13	14	15	16
Overtime worked Number of Hours in the month	Amount of overtime wages	Amount of advance and purpose of advance	Total/ gross earnings	Deductions e.g. (a) PF (b) Advance (c) ESI (d)Other amount	Net amount payable (11–12)	Signature / receipt of wages/ allowances for column No. 13	Remarks
				(a) (b) (c) (d)			

ANNUAL REPORT

(To be furnished to the Inspector and the Astt. Labour Commissioner concerned before 31st January of the following year.)

(Ending 31st December 20__)

1. Name of Establishment, its postal address & location.....
2. Name and Address of the Employer.....
3. Name and Address of PE, if the employer is a contractor.....
4. Name of Manager responsible for supervision & control.....
5. (i) Name of Business, industry or trade or occupation carried on by the Employer.....
(ii) Date of commencement of the business, industry, trade or occupation.....
6. Employer's No. under ESI/EPF/Welfare fund/PAN No. if any
7. Maximum no. of workers employed on any day during the year
Category

	Highly Skilled	Skilled	Semi Skilled	Un Skilled
Male				
Female				
Child				
Total				
8. Average no. of workers employed during the year.....
9. Total no. of mandays worked during the year.....
10. No. of workers during the year
 - (a) Retrenched.....
 - (b) Resigned.....
 - (c) Terminated.....
 - (d) Retrenchment compensation and terminal benefits paid (provide information completely in respect of each worker).....
11. Mandays lost during the year on account of strike or lockout..
12. Reasons for strike or lockout
13. Total wages paid
13. Total amount of deductions from wages made.....
14. No. of accidents during the year.....

	Reported Inspector Factories	to of	Reported ESIC	to	Reported Workman's Commr.	to Comp.	Others
Fatal							
Non-Fatal							

15. Compensation paid under the Workmens compensation Act during the year.....

- a. Fatal Accidents.....
- b. Non-Fatal Accidents.....

Signature of Manager / Employer

ANNEXURE

AN ALTERNATIVE PROPOSAL ON SIMPLIFICATION AND RATIONALISATION OF REGISTERS AND RETURNS

It has come to the notice of the High Powered Group that a committee constituted by the Cabinet Secretariat to examine extant procedures for investment approvals and implementation of projects and to suggest measures to simplify and expedite the process for both public and private investment has recommended that the applicability of Labour Laws (Exemption from Furnishing Returns and Maintenance of Registers by Certain Establishments) Act, 1988 may be extended to industrial establishments employing 500 workmen. It appears that if the applicability of this Act is extended to factories employing 500 workers, many registers relating to safety and health of factory workers would not be required to be maintained. The representative of DGFASLI in the HP Group reiterated that the matters of health and safety of the workers should not be compromised in any circumstances.

Keeping in view the recommendations of the committee constituted by the Cabinet Secretariat it is suggested that if the voluminous schedule proposed in the draft law appears complicated, then alternatively the applicability of the Labour Laws (Exemption from Furnishing Returns and Maintenance of Registers by Certain Establishments) Act, 1988 may be extended to industrial establishments employing not more than 500 workmen and the expression 'Factories Act, 1948' be deleted from the Schedule of the Act.

It is also pertinent to mention here that the present Act applicable to industrial establishments employing not more than 19 workmen is not popular because the penalty prescribed under this Act is higher than the penalty prescribed in the enactments it replaces. It is therefore, suggested that provisions relating to penalty prescribed under the enactments given in the Schedule be amended and enhanced at par with the penalty prescribed under the Labour Laws (Exemption from Furnishing Returns and Maintenance of Registers by Certain Establishments) Act, 1988.